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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,095	11/30/2001	Darryl Lee Presley	50277-1961	4337
42425 7590 01/26/2007 HICKMAN PALERMO TRUONG & BECKER/ORACLE 2055 GATEWAY PLACE SUITE 550 SAN JOSE, CA 95110-1089			EXAMINER VU, THONG H	
			ART UNIT 2616	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/26/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

09/998,095

Applicant(s)

PRESLEY, DARRYL LEE

Examiner

Thong H. Vu

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONEO (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5, 7-11, 14-37 and 39-49 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-11, 14-37, and 39-49 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                            |                                                                                         |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

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1. Claims 1-5,7-11,14-37, and 39-49 are pending.

***Response to Arguments***

2. Applicant's arguments with respect to claims 1-5,7-11,14-37, and 39-49 have been considered but are moot in view of the new ground(s) of rejection. Applicant's arguments, see pages 12-16, filed 11/28/06, with respect to the rejection(s) of claim(s) 1-5,7-11,14-37, and 39-49 under Synnestvedt, Jager references have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Pawar.

***Claim Rejections - 35 USC § 101***

3. Claims 14-25 are rejected under 35 U.S.C. 101 because the claimed invention is not supported by either a specific and substantial asserted utility or a well established utility.

i.e.: retrieving a particular component

Claims 14-25 also rejected under 35 U.S.C. 112, first paragraph. Specifically, since the claimed invention is not supported by either a specific and substantial asserted utility or a well established utility for the reasons set forth above, one skilled in the art clearly would not know how to use the claimed invention.

***Claim Rejections - 35 USC § 112***

4. Claim 4 recites the limitation "the particular component" in "logging data that identifies an identified configuration change made to the configuration of the particular

component to a log file". There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5,7-11,14-37,39-49 are rejected under 35 U.S.C. 102(e) as being anticipated by PAWAR et al [PAWAR, 2003/0033400 A1].

5. As per claim 1, PAWAR discloses A system for actively managing configurable components, comprising:

a plurality of components, each component storing a configuration comprising a set of configuration parameters [Pawar, network configuration, 0008];

a repository that stores information about a configuration policy [Pawar, a set of rules or policies, 0035];

a server configured to register each of the plurality of components [Pawar, server authenticated, 0017],

perform dynamic probing operations to identify configuration changes made to the configuration of each of the plurality of components and validate identified

configuration change against the configuration policy to determine whether the configuration changes conform to the configuration policy [Pawar, intelligent agents runs on every host in a network and configured to evaluate rules and based on evaluation or validation, 0007]. It's clearly that the intelligent agents have performed the evaluation or dynamic probing operation to identify configuration change to executes modules only on hosts for which such modules are appropriate].

6. As per claim 2, PAWAR discloses the configuration policy defines for each confirmation parameter of the configuration of each of the plurality of components a value range for which the configuration parameter will be successfully validated by the server [Pawar, intelligent agents runs on every host in a network and configured to evaluate rules and based on evaluation or validation, 0007].

7. As per claim 3, PAWAR discloses responding to an identified confirmation change by performing at least one of:

- changing a value of at least one configuration parameter to a default or previously validated value [Pawar, keep track of changes, 0074];

- auditing configuration parameters of the confirmation of at least one of the plurality of components [Pawar, evaluation, 0007];

- generating an alert regarding the confirmation parameters of the confirmation of at least one of the plurality of components [Pawar, alert, 0077];

- acquiescing to the identified configuration change [Pawar, modified data, 0075].

8. As per claim 4, PAWAR discloses logging data that identifies an identified configuration change made to the configuration of the particular component to a log file [Pawar, log files, 0079].

9. As per claim 5, PAWAR discloses performing an impact analysis on the identified configuration changes against the plurality of components [Pawar, intelligent agents runs on every host in a network and configured to evaluate rules and based on evaluation or validation, 0007].

10. As per claim 39, PAWAR discloses the information indicates a relationship dependency between a first configuration parameter in the configuration of a first component and a second configuration parameter in the configuration of a different component [Pawar, host parameters, 0057-0069].

11. As per claim 40, PAWAR discloses the server validates the configuration, for the first component based upon the relationship dependency between the first configuration parameter and the second configuration parameter [Pawar, host parameters, 0057-0069].

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12. As per claim 41, PAWAR discloses the information includes at least one document type definition defining a mapping between the configuration of at least two of the plurality of individual components [Pawar, compares, 0020].

13. As per claim 47, PAWAR discloses the relationship dependency comprises one of one-way, two-way, cyclic, one-to-many, many-to-one, and many-to-many as a design choice.

14. Claims 7-11,42-46 and 48 contain the identical limitations set forth in claims 1-5,39-41 and 47. Thus, claims 7-11,42-46 and 48 are rejected for the same rationale set forth in claims 1-5,39-41 and 47.

15. As per claim 14, PAWAR discloses A system, comprising:

a plurality of components wherein each component of the plurality of components comprises a client module for accessing configuration parameters of a configuration of the component [Pawar, network configuration, 0008];

a management server which maintains a repository for storing information about a configuration policy [Pawar, server authenticated, 0017; a set of rules or policies, 0035];

a management console capable of accessing the repository [Pawar, database management systems, 0023] wherein the management console comprises:

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at least one service interface for retrieving the configuration of a particular component of the plurality of components by communicating with the client module associated with the particular component [Pawar, retrieving or downloading the newly required modules or particular component, 0019];

a parser for extracting configuration parameters from each [Pawar, compares and downloads, 0020];

a validator for validating each extracted configuration parameter against the configuration policy [Pawar, authenticate, 0020]

16. As per claim 15 PAWAR discloses at least one adapter for accessing component-specific configuration parameters of the configuration of at least one of the plurality of components [Pawar, storing instructions adapted to be executed by the processor, claim 18].

17. As per claim 16, PAWAR discloses at least one component-specific adapter for dynamically probing the plurality of components [Pawar, adjust rules, 0036].

18. As per claim 17, PAWAR discloses a component parameter relationship dependency tree formed from the extracted configuration parameters [Pawar, host parameters, 0057-0069]; and an impact analyzer for analyzing the effect of making a configuration change to the configuration of a particular component of the plurality of



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components by traversing the component parameter relationship dependency tree [Pawar, active directory, 0039].

19. As per claim 18, PAWAR discloses a change manager for effecting a change to a configuration parameter [PAWAR, updating configuration files, col 2 lines 35-45].

20. As per claim 19, PAWAR discloses a set of one or more XML documents comprising the extracted configuration parameters as inherent feature of programming language such as Java [Pawar, 0014].

21. As per claim 20, PAWAR discloses the configuration policy is expressed in a set of global parameter definitions and document type definitions [Pawar, centrally configured, 0007].

22. As per claim 21 PAWAR discloses validation services, wherein the validation services perform at least one of:

managing the configuration parameters of the configuration of the plurality of components [Pawar, host parameters, 0057-0069];

advising an administrator about the configuration parameters of the confirmation of the plurality of components [Pawar, adjust rules to define target, 0036];

alerting an administrator about the configuration parameters of the confirmation of the plurality of components [Pawar, alert, 0077]; and

acquiescing to the modification of the configuration parameters of the confirmation of the plurality of components [Pawar, modified data, 0075].

23. As per claim 22, PAWAR discloses a browsing service providing a user interface management console [Pawar, GUI, 0056].

24. As per claim 23, PAWAR discloses a management configuration module for registering new components [Pawar, authenticated, 0020].

25. As per claim 24 PAWAR discloses a management configuration module capable of receiving XML documents which describe the configuration parameters of the configuration of a particular component, when the configuration of the particular component is changed as a design choice of programming language such as Java [Pawar, Java, 0014].

26. As per claim 25, PAWAR discloses at least one of the plurality of components corresponds to at least one of a Web server, an Internet application server and a database server [Pawar, database management systems, 0023].

27. Claims 26-37 contain the identical limitations set forth in claims 14-25. Thus, claims 26-37 are rejected for the same rationale set forth in claims 14-25.

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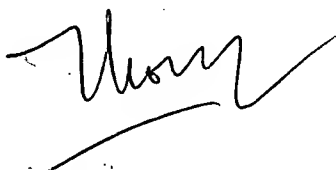
28. As per claim 49, PAWAR discloses A computer-readable storage medium holding code which, when executed, performs the method according to any one of claims 7, 8, 9, 10, 11, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 39, 40, 41, 42, 43, 44, 45, 46, and 48 [Pawar, intelligent agents or codes, 0007].

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner *Thong Vu*, whose telephone number is (571)-272-3333. The examiner can normally be reached on Monday-Thursday from 6:00AM- 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Failed Lynn*, can be reached at (571) 272-2092. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*Thong Vu*  
*Primary Examiner*



THONG VU  
PRIMARY EXAMINER  
TECHNOLOGY CENTER 2100